

**IN THE HIGH COURT OF JUDICATURE
AT BOMBAY**

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.1443 OF 2007

Amey Suresh Talekar

...Petitioner

Vs.

The State of Maharashtra & Ors.

...Respondents

Mr. P.B. Kakade for Petitioner

None for Respondent

**CORAM : SMT. RANJANA DESAI &
SMT. ROSHAN DALVI, JJ.**

DATED: 3RD AUGUST, 2007

P.C.

1. The petitioner is the brother of one Satyam Suresh Talekar. It is his case that his brother was given letter dated 4th December, 1999 for his appointment in the respondent's establishment i.e police department. He was on waiting list from 16th December, 1999 to 19th January, 2001. He died on 19th January, 2001. The petitioner made application to the respondent for his appointment on compassionate grounds in place of his deceased brother. That application has been rejected on the ground that his deceased brother was in fact not appointed in the police department; he was merely on the waiting list and, therefore, the petitioner cannot be appointed

on compassionate grounds. In our opinion the reason given for refusing appointment of the petitioner is legal and correct. The petitioner's brother was merely on waiting list. He was not in service in the police department. The petitioner's case is not covered by the principles underlying appointments in service on compassionate grounds. There is no substance in the petition. The petition is rejected.

(SMT. ROSHAN DALVI, J.) (SMT. RANJANA DESAI, J.)